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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,867	05/09/2001	Hikmet Senay	72167.000572	4958

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EXAMINER

PITARO, RYAN F

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/851,867

Applicant(s)

SENAY, HIKMET

Examiner

Ryan F. Pitaro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 08 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-21 have been examined.

Response to Amendment

2. This communication is responsive to Amendment C, filed 3/3/2006.
3. Claims 1-21 are pending in this application. Claims 1,5,9,13,16 are independent claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eick et al ("Eick", US 5,835,085) in view of Jordan et al ("Jordan", US 5,745,113).

As per claim 1, Eick discloses a method for graphically representing interactions between units within an organization, which comprises: determining a connectivity measure for each unit (Column 4 lines 7-48); determining a diversity measure for each unit (Column 4 lines 7-48) providing a graphical object corresponding to each unit (Column 4 lines 29-36); positioning said graphical objects to correspond to the relative positions of the units within the organizational hierarchy (Column 4 lines 37-48); varying graphical properties of said graphical objects to correspond to the connectivity measure

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and the diversity measure (Column 4 lines 29-36); and displaying on a display screen said graphical objects and interactions between the units represented by said graphical objects (Column 4 lines 7-48). Eick teaches each unit being a phone number which implies persons, however fails to distinctly point out the units of an organization being individual persons. However, Jordan teaches an organizational hierarchy made of individual persons (Column 1 lines 13-21). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Eick with the current teaching of Jordan. Motivation to do so would have been to help designers to find patterns in relationships and work practices.

As per claim 2, which is dependent on claim 1, Eick-Jordan teaches a method wherein said graphical properties of said graphical objects varied includes color of said graphical object according to the diversity measure (Eick, Column 4 lines 29-36).

As per claim 3, which is dependent on claim 1, Eick-Jordan teaches a method wherein said graphical properties of said graphical objects varied includes size of said graphical objects according to the connectivity measure (Eick, Column 4 lines 29-36).

As per claim 4, which is dependent on claim 1, Eick-Jordan teaches a method which further comprises providing for user selection of a portion of said display screen such that only those graphical objects within said user selected portion of said display screen are displayed (Eick, Figure 3).

Claims 5,8,13,16 are individually similar in scope to that of claim 1, and are therefore rejected under similar rationale.

Claim 6, 14,17 are individually similar in scope to that of claim 3, and are therefore rejected under similar rationale.

Claim 7,11,15 are similar in scope to that of claim 4, and are therefore rejected under similar rationale.

As per claim 9, Eick-Jordan teaches a method for graphically representing interactions between an individual person and other persons with an organization (Jordan, Column 1 lines 13-21), which comprises: providing graphical objects corresponding to the interacting individual persons (Eick, Column 4 lines 29-36); varying graphical properties of said graphical objects to correspond to connectivity and the diversity measure (Eick, Column 4 lines 29-36); displaying on a display screen said graphical objects (Eick, Figure 3); and displaying on said display screen direct interactions between the individual persons (Eick, Figure 3) and indirect interactions between the individual persons to a preselected depth level (Eick, Column 4 lines 7-48, Figure 3).

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As per claim 12, which is dependent on claim 9, Eick-Jordan disclose a method wherein said pre-selected depth level may be user selected (Eick, Column 4 lines 29-64).

Claims 18-21 are individually similar in scope to that of claim 2, and are therefore rejected under similar rationale.

Response to Arguments

Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F. Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Mondays through Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro
Art Unit 2174
Patent Examiner

RFP

Kristine Kincaid
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